UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	V	
KENNETH MICHAEL FERRANTI,	2 %	0-CV-2476 (KPF)
Plaintiff,	: . DE	
-against-	: SU	CLARATION IN PPORT OF 12(b)(6)
ARSHACK, HAJEK & LEHRMAN, PLLC and DANIEL ARSHACK, ESQ.,	: <u>MC</u> : :	OTION TO DISMISS
Defendants.	: : X	

<u>DECLARATION OF A. MICHAEL FURMAN, ESQ. IN SUPPORT OF</u> <u>FED. R. CIV. P. 12(b)(6) MOTION TO DISMISS</u>

A. MICHAEL FURMAN, hereby declares under penalty of perjury, pursuant to 28 U.S.C. §1746, as follows:

- 1. I am a partner with the law firm of Furman Kornfeld & Brennan LLP, counsel for Defendants ARSHACK, HAJEK & LEHRMAN, PLLC and DANIEL ARSHACK, ESQ. (together, "Attorney Arshack.")
- 2. I submit this declaration in support of Attorney Arshack's Motion to Dismiss pursuant to Rule 12(b)(6).
 - 3. Annexed hereto as Exhibit "A" is a true and accurate copy of Plaintiff's Complaint.
- 4. Annexed hereto as Exhibit "B" is a true and accurate copy the August 17, 2017 Criminal Complaint.
 - 5. Annexed hereto as Exhibit "C" is a true and accurate copy of the Indictment.
- 6. Annexed hereto as Exhibit "D" is a true and accurate copy of the transcript of the November 8, 2018 Plea Allocution and Disposition (Sexual Abuse and Forcible Touching counts).

Annexed hereto as Exhibit "E" is a true and accurate copy of the transcript of the 7.

November 8, 2018 Plea Allocution and Disposition (Perjury count).

Annexed hereto as Exhibit "F" is a true and accurate copy of the New York State 8.

Board of Professional Medical Conduct's January 17, 2019 License Surrender Order.

9. Upon the exhibits annexed hereto and the accompanying Memorandum of Law, it

is respectfully requested that this Court enter an Order dismissing Plaintiff's Complaint pursuant

to Rule 12(b)(6), as the Complaint fails to state a cause of action upon which relief can be granted.

I declare under penalty of perjury, pursuant to 28 U.S.C. §1746, that the foregoing is true

and correct. Executed on June 12, 2020 in the County and State of New York.

Dated: New York, New York

June 12, 2020

/s/ A. Michael Furman

A. Michael Furman, Esq.